

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Case No. 17-20826

Hon. Stephen J. Murphy, III

RONDELL LOWELL COOK,

Defendant.

/

**SENTENCING**

BEFORE THE HONORABLE STEPHEN J. MURPHY, III  
United States District Judge  
Theodore Levin United States Courthouse  
231 West Lafayette Boulevard  
Detroit, Michigan 48226  
Thursday, January 24, 2019

APPEARANCES:

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EXHIBITS

Identification

Offered

Received

NONE

1 Detroit, Michigan

2 Thursday, January 24, 2019

3 — — —

4 (Proceedings commenced at 11:40 a.m., all parties  
5 present)

6 THE CLERK: The Court calls Case No. 17-20826, United  
7 States of America versus Rondell Cook.

8 Counsel, please state your appearances for the  
9 record.

10 MS. SMITH: Good morning, Your Honor. Maggie Smith  
11 appearing on behalf of the United States, and with me at  
12 counsel table is Special Agent Jay Ratermann with Homeland  
13 Security Investigations.

14 THE COURT: Okay. Good morning.

15 MR. STUDNICKI: Good morning, Your Honor. Stacey  
16 Studnicki of the Federal Defender Office on behalf of Mr. Cook  
17 who, for the record, is to my left.

18 THE COURT: Okay. Very good. Everybody may be  
19 seated.

20 Let me ask Ms. Smith and Ms. Studnicki to come on up  
21 to the microphone. I want to ask a quick question. I received  
22 a letter, it's undated, but I received it earlier this week or  
23 maybe it was last week, but in any event, I asked Mr. Parker to  
24 send a -- a copy to both of you. It's directly to me. It's  
25 from Mr. Cook. I don't think it's on the docket. But the

1 point or the -- the upshot of the letter is that -- is -- is --  
2 is that Mr. Cook appears to be dissatisfied with his plea and  
3 he's under the impression that it was for, quote, 300 months.

4 The -- the issue I have is that he pled guilty, and I  
5 checked the record and I -- I asked him if he understood, you  
6 know, that this was a permanent decision on his part and that  
7 if he got a sentence he didn't like, he still was, you know,  
8 not going to be able to withdraw from his plea based on the  
9 level of the sentence.

10 So I just don't know what to do with this case at  
11 this point in light of this letter, and I'd be grateful for any  
12 guidance from the lawyers and I'll start with Ms. Studnicki.

13 MR. STUDNICKI: Well, Your Honor, I met with Mr. Cook  
14 and he wishes to go forward today and basically withdraw the  
15 letter.

16 THE COURT: Okay.

17 MR. STUDNICKI: But I would request that the Court  
18 speak directly to him about the issue so we make a record that  
19 that is really what he wants because I did offer to withdraw,  
20 but he did not express a desire for that. He wants to go  
21 forward with sentencing.

22 THE COURT: Okay. All righty. Okay. Mr. Cook, you  
23 can stay seated but just speak into your mic if you would. I  
24 received your letter. I sent it to the lawyers as I'm  
25 obligated to do. Since you are represented, I deal with the

1 lawyers and -- and not with the parties directly. But you  
2 heard what I said and you heard what Ms. Studnicki said. You  
3 certainly don't have to withdraw your letter, but do you  
4 understand that your plea under the rules can't be withdrawn on  
5 the basis of what the sentence might be? You can -- if you're  
6 dissatisfied with the plea or dissatisfied with your lawyer,  
7 you know, we can -- we can talk about that, but if -- if you  
8 understand now based on your contacts with Ms. Studnicki that  
9 your -- your plea was a permanent decision and your sentence is  
10 to be determined here, we can go forward this morning. Do you  
11 understand all that?

12 DEFENDANT COOK: Yes.

13 THE COURT: Okay. And you still want to have your  
14 sentence -- sentence entered this morning, correct?

15 DEFENDANT COOK: Yes.

16 THE COURT: Okay. All right. Anything from the  
17 United States?

18 MS. SMITH: Well, the only thing that I would ask is  
19 that you voir dire the defendant that he is satisfied with Ms.  
20 Studnicki and he wants to go forward with her as his attorney.

21 THE COURT: Okay. I think I covered that. But  
22 you're okay with your present lawyer, you don't want to make a  
23 motion to withdraw or anything like that or a motion to have a  
24 new attorney or anything like that?

25 DEFENDANT COOK: Yes.

1 THE COURT: Okay. All right. Very good.

2 MS. SMITH: Thank you.

3 THE COURT: Okay. Come on up now, Mr. Cook, if you  
4 would, and we will get started.

5 As I believe I mentioned, the defendant pled guilty  
6 to the production of child pornography. He induced a young  
7 woman in ninth grade to send nude photos of herself to him via  
8 cell phone, and he ended up in a hotel room here in Metro  
9 Detroit with her and that's how he and the evidence of the  
10 child pornography was discovered.

11 The probation officer wrote a report and calculated  
12 the guidelines at 360 to 600 months. There is a mandatory  
13 minimum of 25 years or 300 months on the count of conviction.

14 And the first thing I'd like to ask Mr. Cook is  
15 whether or not you've had an opportunity to thoroughly read  
16 over the Pre-Sentence Report and discuss it with your lawyer.

17 DEFENDANT COOK: Yes.

18 THE COURT: All right. And Ms. Studnicki, I  
19 understand there aren't any issues in dispute. The Plea  
20 Agreement, the guideline range calculated by Ms. Grewe are the  
21 same. I would simply ask you if you have any other disputes,  
22 modifications, corrections or other matters with regard only to  
23 the Pre-Sentence Report.

24 MR. STUDNICKI: No, Your Honor. I did have a chance  
25 to take it out to Milan where Mr. Cook has been housed, and we

1 reviewed it in person together and we did not have any  
2 objections --

3 THE COURT: Okay.

4 MR. STUDNICKI: -- to the report.

5 THE COURT: Very good. Thank you. And I would ask  
6 the same question of the United States as to the accuracy and  
7 conclusions of Ms. Grewe in the Pre-Sentence Report.

8 MS. SMITH: No objections, Your Honor.

9 THE COURT: Okay. All right. Then I will find the  
10 Offense Level to be 40, the Criminal History Category is VI.  
11 As I mentioned earlier, the Plea Agreement range and the  
12 guideline range applicable to the case are the same. The  
13 findings of Ms. Grewe factual in her report will be considered  
14 the Court's factual findings for purposes of this proceeding  
15 only and I'll make a couple of other conclusions.

16 Number one, I don't believe that restitution is at  
17 issue in the case, is it, Ms. -- are you claiming a restitution  
18 amount, Ms. Smith?

19 MS. SMITH: No, Your Honor.

20 THE COURT: Okay. So restitution is not going to be  
21 an issue.

22 Is the victim of the crime here today and would she  
23 like to speak to the Court?

24 MS. SMITH: She is not here.

25 THE COURT: Okay. All right. Very good. The

1 defendant has no ability to pay a fine or the costs of  
2 incarceration. Those -- those -- those matters will be waived  
3 as I'm obligated. Under the statute I can't impose a fine on a  
4 person who can't pay one and Mr. Cook clearly can't.

5 Forfeiture, if there was any, has been taken care of  
6 when the items from the hotel room were seized and presumably  
7 forfeited by the United States.

8 So I think we're ready to go to sentencing, correct,  
9 Ms. Smith?

10 MS. SMITH: Yes, Your Honor.

11 THE COURT: Okay. All right. Ms. Studnicki has the  
12 right to make any remarks on behalf of her client. There is a  
13 sentence memorandum and motion or request I should say for a  
14 downward variance from the 360-month bottom end of the  
15 guideline range. I read that. It was filed on the 17th of  
16 this month. And I am ready to hear any other words or argument  
17 or allocution you'd like to make at this time, Ms. Studnicki.

18 MR. STUDNICKI: Thank you, Your Honor.

19 Your Honor, I believe this case is a tragedy all the  
20 way around, not only for the victim and her parents who are  
21 obviously very impacted by -- by this, but also Mr. Cook in  
22 some ways is also -- has had a tragic life, and I did outline  
23 that in my sentencing memorandum, Your Honor.

24 THE COURT: Yep.

25 MR. STUDNICKI: He's 29 years old. His grandmother



1 raised him because his mother was incapable of raising him.  
2 She was addicted to drugs and so he went to live with his  
3 grandmother who basically he saw as his mother his whole life.  
4 His grandmother died last spring while he was incarcerated here  
5 in Michigan.

6 Of course, his whole family is from Stamford,  
7 Connecticut which is where he was born and raised. His mother  
8 died of cancer in 2011 but, of course, Mr. Cook was never  
9 really close with her.

10 Mr. Cook has three siblings. He had a fourth sibling  
11 who died when Mr. Cook was a child, and according to Mr. Cook  
12 and his siblings, this had a tremendous impact on him and  
13 basically caused him to have quite a few emotional and  
14 behavioral issues as a child.

15 Mr. Cook himself has had a lot of problems, Your  
16 Honor, adjusting basically to adulthood and has -- has had,  
17 as -- as the Court is aware, a prior record, which has, of  
18 course, caused him many issues including causing him to be in  
19 Criminal History VI in this case.

20 But Mr. Cook has two children; one is age 11,  
21 Christopher, and a daughter, age nine, Jackie.

22 He has been diagnosed with anxiety and depression and  
23 he was seeing a therapist in Stamford, Connecticut prior to his  
24 arrest in this case. He did feel that that was helpful to him.  
25 So one request we would make to the Court is that the Court

1 provide in its order of sentencing for him to have treatment,  
2 Your Honor, because he would like to continue to have  
3 treatment.

4 He was working for a temporary service at the time of  
5 this offense, Your Honor.

6 And as I stated, he does want treatment.

7 He would like to be designated to a facility in  
8 Connecticut or near Connecticut so that his family can visit  
9 him.

10 Your Honor, one additional request that I would make  
11 of the Court and -- and I think it'd be good to -- to talk  
12 about at this time. He is concerned for his safety in these  
13 facilities --

14 THE COURT: Yeah, me too.

15 MR. STUDNICKI: -- and asked -- yeah. He asked me to  
16 request the Court provide some type of a recommendation for  
17 protective custody.

18 THE COURT: Uh-huh.

19 MR. STUDNICKI: Whatever the Court could do, he would  
20 really appreciate.

21 THE COURT: Yeah. I don't know what I can do, but  
22 the last time I did this, I said I wanted a defendant to be  
23 kept safe and he wasn't and I was very upset about that, and I  
24 was also extremely upset with the full lack of communication  
25 from the Bureau of Prisons. I got a letter and that was -- a

1 very cold letter and that was it, and I read about it first in  
2 the newspapers. So they need to do a lot better. And I must  
3 say, it would be a -- seem to be a direct consequence of this  
4 government shutdown. From what I -- I heard, they were  
5 understaffed out there the day that that happened. So I think  
6 whatever you want, you present an order and I'll sign it on  
7 that, okay?

8 MR. STUDNICKI: Thank you, Your Honor.

9 THE COURT: All right. Okay. Mr. Cook, you have the  
10 right to make any statement you'd like to make as to the  
11 appropriate sentence, any other factors or any matters that  
12 your lawyer hasn't talked about, and I'd be glad to hear from  
13 you now. Go right ahead.

14 DEFENDANT COOK: Let me first apologize for my  
15 behavior. I know that it was wrong and I'm ready to continue  
16 to get the treatment that I've been trying to get and that I  
17 need --

18 THE COURT: Okay.

19 DEFENDANT COOK: -- to move forward.

20 THE COURT: Okay. All right. Thank you very much,  
21 sir. All right.

22 Ms. Smith as well has filed an extensive memorandum;  
23 it was dated the 16th of January. It discusses the 3553(a)  
24 factors and recommends a sentence of 540 months. I've read  
25 everything obviously and I would be very pleased to hear any

1 other arguments or materials the government wants to put on the  
2 record now. Go right ahead.

3 MS. SMITH: Thank you, Your Honor. I have some brief  
4 remarks that I would like to make.

5 The United States is seeking a sentence of 45 years  
6 in this case. The nature and circumstances of this offense are  
7 undoubtedly serious. This 28-year-old man manipulated a  
8 15-year-old girl by making her believe that performing sex acts  
9 equated to love, and he did that by relentlessly pursuing her  
10 day after day after day. The text messages that we were able  
11 to recover averaged out to be 250 per day, all hours of the day  
12 and night. And Minor Victim 1 as a child believed him when he  
13 trained her to think that sex acts equated to love.

14 But that wasn't enough for the defendant because as  
15 Your Honor knows, this isn't a case about online enticement  
16 alone. This defendant knew that this child was vulnerable  
17 because she told him; he knew that she was young because she  
18 told him; and he knew that she was desperate for love because  
19 she told him. And he put this child, who was not even in high  
20 school yet, in an impossible situation because she was  
21 unequipped with the ability to emotionally handle adult  
22 decisions.

23 In December of 2017 this defendant took a bus from  
24 Connecticut where he was on probation for a violent offense,  
25 came all the way to Michigan and brought this child to a hotel,

1 immediately engaging her in sex acts.

2 This defendant took sexual advantage of this child,  
3 forever damaging her emotional landscape, and for that she will  
4 never be the same. She must have to deal with the issues of  
5 trust. She will have to learn to navigate the psychological  
6 harms of learning what it means to love someone, to engage in  
7 healthy adult sexual relationships. This adult has undoubtedly  
8 caused irreparable damage.

9 The history and characteristics of this defendant  
10 also warrant a high sentence. His criminal history alone sets  
11 this defendant apart from many of the child exploitation  
12 defendants that come into this court. He has a history of sex  
13 offenses, he has a history of using violence to get what he  
14 wants, and he has a history of using violence particularly  
15 against women.

16 Now, this defendant has pointed out a number of  
17 things in an attempt to mitigate his sentence based on  
18 traumatic events that occurred in his childhood, but I would  
19 remind this Court that today is not the day to hold those  
20 people accountable for his childhood. Today is the day to hold  
21 this defendant accountable for the abuse that he perpetrated on  
22 Minor Victim 1.

23 This defendant needs punishment and that punishment  
24 must be adequate. It must deter him from further criminal  
25 activity. It must punish him and bring justice to this victim.

1 And it is up to this Court to decide what justice means, but I  
2 would suggest that justice means that this victim will be able  
3 to recover from this trauma without ever having to look over  
4 her shoulder worried that this defendant is going to enter her  
5 life again. Justice for this two-time sex offender is 45 years  
6 imprisonment.

7 Thank you, Your Honor.

8 THE COURT: Okay. Thank you very much for those  
9 remarks as well.

10 And I will analyze the 3553(a) factors, state the  
11 sentence that I intend to give and then provide both lawyers an  
12 opportunity to object.

13 Well, the offense conduct is extremely serious, about  
14 as serious as it can be. The transcripts of the texting that I  
15 read in the government's memo clearly indicated a older man  
16 with forceful ability to manipulate a younger female to commit  
17 various acts, including transmission of the -- of the  
18 pornography at issue here. That's probably what's most  
19 troubling to me along with the fact that the victim was 15 and  
20 there was a 12-year difference in age between the two.

21 There's no question that the defendant suffered  
22 extreme anger, rage, depression and a lack of parenting in  
23 light of all the matters that Ms. Studnicki spoke about and  
24 which are further laid out in the probation officer's fine  
25 report.

1 I'm not going to vary because, number one, I think it  
2 would send the wrong message, and number two, I think Ms. --  
3 Ms. Smith has a point about how we deal with these things.  
4 Presumably the guidelines are intended to give a range of  
5 sentences that would account for the troubles that Mr. Cook  
6 went through.

7 But at the end of the day I've come to believe in  
8 these cases that, you know, whether we're talking about  
9 30 years or 25 years and Mr. Cook being out of prison at 54, or  
10 30 years and he being out of prison at 59, or 40 years and he  
11 being at -- at -- at 69, there -- there comes a balance between  
12 what we're getting in terms of rehabilitation, treatment and  
13 the offset in -- in punishment in keeping, yes, this victim but  
14 society as a whole safe.

15 I really do think that a sentence of 30 years at the  
16 bottom of the guideline range meets all the criteria under  
17 3553(a). A lengthy and mandatory five-year-plus term of  
18 supervised release after that should provide society with some  
19 additional assurances that Mr. Cook won't offend again. And it  
20 would be my personal hope as well that he follow through on his  
21 desire to get help, treatment, move forward and understand  
22 what -- what has occurred and his ability to recover from it.

23 Now, I have not spoken publicly, in fact, I have not  
24 spoken at all, about the tragedies of individuals going to  
25 prison and being ganged up upon by other violent prisoners and

1 hurt, if not maimed and killed, for committing crimes that  
2 other prisoners look down upon. This is not a death sentence  
3 and neither the Bureau of Prisons nor their charges have the  
4 ability to impose one. And if that sort of thing happens, I  
5 think our court and our justice system is going to look quite a  
6 bit harder at the job that's being done in our facilities.

7 With that in mind, I -- I -- I do think it's merited,  
8 given this individual's complete lack of ties to the community,  
9 he's got nobody to talk to out there, the fact that we do have  
10 a history, a government shutdown, short staffing, that this  
11 individual be kept safe from the time he leaves court here  
12 today till the time he gets into his permanent assignment,  
13 which I would hope to be at a facility where segregation and  
14 sex offense therapy is available, and I don't think I can be  
15 any more clear than that.

16 Therefore, pursuant to the Sentence Reform Act of  
17 1984, the Court, having considered the sentence guidelines and  
18 factors contained in 18 USC, Section 3553(a), hereby commits  
19 the defendant Rondell Cook to the U.S. Bureau of Prisons to a  
20 term of 360 months.

21 It's further recommended that he be designated to an  
22 institution with a comprehensive drug treatment program as well  
23 as a sex therapy program, which he has readily stated he's  
24 eager to engage in this morning.

25 Upon release from imprisonment, the defendant shall



1 be placed on a supervised release of -- release term of  
2 84 months; that's seven full years.

3 It's further ordered that he pay a special assessment  
4 of a hundred dollars, and that'll be due immediately.

5 No fine, costs of incarceration or costs of  
6 supervision for the reasons I said earlier. He has no  
7 financial resources.

8 While in custody, the defendant shall participate in  
9 the Inmate Financial Responsibility Program. I am aware of the  
10 requirements of the IFRP and I approve the payment schedules of  
11 the program and hereby order the defendant's compliance with  
12 it. That's to pay off the special assessment.

13 Restitution's not an issue but mandatory drug testing  
14 will be ordered.

15 Now, on supervision, the defendant, Mr. Cook, must  
16 cooperate with the collection of a DNA sample as directed by  
17 his probation officer. That's required under 34 USC, Section  
18 40702.

19 While on supervision, he must abide by the standard  
20 conditions adopted by this Court and he also has to comply with  
21 the additional special conditions:

22 Number one, compliance with the requirements of the  
23 Sex Offender Registration and Notification Act. That will be  
24 directed by the probation officer and required by the Bureau of  
25 Prisons' state Sex Offender Registration agency or -- or

1 whatever would oversee the collection of that information in  
2 the area where he resides, works, is a student or was convicted  
3 of this particular offense.

4 He must successfully complete any sex offender  
5 diagnostic evaluations, treatment or counseling programs as  
6 directed by probation. Reports pertaining to sex offender  
7 assessments and treatments shall be provided to the probation  
8 officer. If he has the ability to pay on supervised release,  
9 he should pay the cost of diagnostic evaluations, treatment or  
10 counseling programs in an amount determined by the probation  
11 officer. He has to submit to periodic polygraph testing at the  
12 discretion and direction of the probation officer as a means to  
13 ensure compliance with the requirements of supervision or  
14 treatment.

15 Now, no violation proceedings should arise solely on  
16 the results of a polygraphic examination, but based on Mr.  
17 Cook's ability to pay, he might also be required to pay the  
18 costs of a polygraph examination in an amount determined by the  
19 probation officer as well.

20 No association with minor children under the age of  
21 18 unless those children are in the presence of a responsible  
22 adult. That adult has to be aware of the nature of this  
23 current offense and the background that goes with it. Any  
24 exception to that has to be run through the probation officer  
25 obviously. Now, Mr. Cook may have unsupervised conduct with

1 his own children at the discretion of the probation officer,  
2 but he shall not frequent places where children congregate on a  
3 regular basis like schools, playgrounds, toy stores, things of  
4 that nature.

5 The defendant must notify anyone they date or marry  
6 with a minor child under the age of 18 of this conviction.

7 No purchase, selling, viewing, possession of any  
8 images in any form or media of depictions of pornography,  
9 sexually explicit conduct, child erotica, child nudity, things  
10 of that nature. No patronization of any places where such  
11 material or entertainment is put forth or available.

12 Employment must be pre-approved by the Probation  
13 Department. Mr. Cook shall not be employed or participate in  
14 any voluntary -- volunteer activities that involve contact with  
15 minors under the age of 18 or adults with disabilities without  
16 prior approval of the probation officer.

17 All residences must be approved by the Probation  
18 Department. The defendant shall not provide care or live in a  
19 residence where children under the age of 18 or adults with  
20 disabilities also reside without prior approval of the  
21 probation officer.

22 No contact, indirectly or directly, with any victim  
23 or witness in this case unless improved -- unless approved by  
24 the probation officer.

25 And finally, I will order participation in the

1 Computer/Internet Monitoring Program administered by Probation.  
2 He must abide by the agreement that binds his behavior in  
3 effect at the time he starts his supervision and comply with  
4 any amendments to it during this term. Due to advances in  
5 technology, those agreements are updated and revisited as  
6 necessary.

7 Computers, hardware, software, accessory, iPhones,  
8 all things of this nature have to be accounted for by the  
9 Probation Office. Accordingly, person, residence, computer and  
10 vehicle are subject to search upon request by Probation at a  
11 reasonable time and manner. Mr. Cook must inform any other  
12 residents of his premises that they may be subject to a search  
13 under this provision. And he must cooperate with the probation  
14 officer to provide access to requested financial information  
15 including billing records about his telephone, cable, Internet,  
16 satellite things of that nature.

17 That will be the sentence of the Court. Objections  
18 from the United States?

19 MS. SMITH: I don't have objections but I do have a  
20 couple of housekeeping matters.

21 THE COURT: Okay. We'll get to those in a minute.  
22 Objections from Ms. Studnicki?

23 MR. STUDNICKI: No, Your Honor.

24 THE COURT: Okay. The sentence that I stated earlier  
25 will be imposed. Mr. Cook has signed a waiver of his right to

1 appeal both the sentence and the conviction. Since I did  
2 sentence at the low end of the guideline range, that triggers  
3 the waiver of the right to appeal and those waivers are usually  
4 enforceable. If, Mr. Cook, you don't believe yours is, you may  
5 take that up with the U.S. Court of Appeals directly.

6 The defendant is in custody and will be sent through  
7 the care of the marshal back to his facility for the  
8 transmission and ultimate reporting for his offense.

9 Both parties have copies of the Pre-Sentence Report.  
10 No corrections will be made but it'll be sent to the Bureau of  
11 Prisons and the Sentencing Commission in the usual course of  
12 business.

13 Now would be the time we can talk about your matters,  
14 Ms. Smith. What...

15 MS. SMITH: Thank you, Your Honor. First off, there  
16 was a \$5,000 special assessment.

17 THE COURT: Oh, 5,000, you're right.

18 MS. SMITH: If the Court finds the defendant's  
19 indigent, that that special assessment can be waived, and I  
20 would just leave it to the Court to make that decision.

21 THE COURT: I think the circumstance of the --  
22 circumstances of this case support waiver. I don't know that I  
23 need to get fully detailed into -- into that, but given  
24 indigency -- I mean Mr. Cook was working at Taco Bell before he  
25 came to Michigan. He has no means and that's not going to get

1 paid so I'll waive that. I can't and won't waive the hundred  
2 dollars, which I didn't intend to do, and that's why I put him  
3 in the IFRP, all right?

4 MS. SMITH: Thank you.

5 THE COURT: Yep.

6 MS. SMITH: Secondly, the government recommends that  
7 the sentence imposed run concurrently to the sentence that has  
8 been imposed in the Wayne County Circuit Court case. If the  
9 Court decides to run those concurrently, I would just ask that  
10 the judgment indicate that the sentence in this case will run  
11 concurrently to Case No. 18-3667-01.

12 THE COURT: We will do that and Probation will supply  
13 ultimately language for the Judgment and Commitment Order. And  
14 I think the sentences, given the conduct, undoubtedly should  
15 run concurrently, and although I have discretion not to do  
16 that, I'm not going to double-dip, so to speak, so thank you  
17 for that as well.

18 MS. SMITH: Finally, because the defendant's been  
19 sentenced within the terms of the Rule 11 Plea Agreement, I  
20 move to dismiss Counts 2, 3 and 4 of the indictment.

21 THE COURT: Those are dismissed without objection,  
22 okay?

23 MS. SMITH: Thank you.

24 THE COURT: Okay. All right. Anything else from  
25 defense?

1 MR. STUDNICKI: Your Honor, could the Court recommend  
2 a facility near Connecticut?

3 THE COURT: Yes. I would recommend -- I don't know  
4 if -- I'm not going to make a specific recommendation. Devon  
5 is in Massachusetts. It's much closer to Stamford, Connecticut  
6 than Michigan is. I think having some family support along  
7 with sex therapy is the most important thing, and I would  
8 recommend that facility or something near Stamford as a result,  
9 okay? All right.

10 MR. STUDNICKI: Your Honor, can the Court at this  
11 point recommend some type of protective custody for Mr. Cook?

12 THE COURT: I tried to speak as firmly as I could to  
13 that. Absent an agreed-upon order or a motion -- you know,  
14 this is not the -- the marshal's fault. I'm not even saying  
15 this is -- I -- I don't know what -- what happens out there at  
16 Milan, but the Bureau of Prisons is skilled at keeping people  
17 safe and if protective custody is what's necessary, I'll  
18 recommend that certainly. But they just had a killing of an  
19 individual charged with a sex offense by a violent mob at  
20 Milan, and I would think they've taken all steps necessary to  
21 prevent that from happening again. And as I said earlier,  
22 if -- if -- if they -- if they haven't, then we're going to  
23 have a much stronger response to that next time, okay? All  
24 right.

25 Thank you all very much.

1 MS. SMITH: Thank you, Your Honor.

2 MR. STUDNICKI: Thank you, Your Honor.

3 THE CLERK: Court is now in recess.

4 (Court in recess at 12:15 p.m.)

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C E R T I F I C A T I O N

I, Linda M. Cavanagh, Official Court Reporter of the United States District Court, Eastern District of Michigan, appointed pursuant to the provisions of Title 28, United States Code, Section 753, do hereby certify that the foregoing pages 1 through 24 comprise a full, true and correct transcript of the proceedings held in the matter of United States of America vs. Rondell Lowell Cook, Case No. 17-20826, on Thursday, January 24, 2019.

s/Linda M. Cavanagh  
Linda M. Cavanagh, RDR, RMR, CRR, CRC  
Federal Official Court Reporter  
United States District Court  
Eastern District of Michigan

Date: July 1, 2019  
Detroit, Michigan